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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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10/829,644

04/22/2004

Travis J. Parry

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04/09/2008

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FORT COLLINS, CO 80527-2400

EXAMINER

PEESO, THOMAS R

ART UNIT

PAPER NUMBER

2132

NOTIFICATION DATE

DELIVERY MODE

04/09/2008

ELECTRONIC

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Notice of the Office communication was sent electronically on above-indicated "Notification Date" to the following e-mail address(es):

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Office Action Summary	Application No. 10/829,644	Applicant(s) PARRY ET AL.	
	Examiner Thomas R. Peeso	Art Unit 2132	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on ____.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-51 is/are pending in the application.
4a) Of the above claim(s) ____ is/are withdrawn from consideration.
- 5) ☒ Claim(s) 34-44 is/are allowed.
- 6) ☒ Claim(s) 1-13, 15-26, 30-33 and 45-51 is/are rejected.
- 7) ☒ Claim(s) 14 and 27-29 is/are objected to.
- 8) ☐ Claim(s) ____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 22Apr2004 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. ____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|---|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. ____. |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date <u>25Oct2007, 29Jul2004</u> . | 6) <input type="checkbox"/> Other: ____. |

DETAILED ACTION

Claim Rejections - 35 USC § 112

The following is a quotation of the first paragraph of 35 U.S.C. 112:

The specification shall contain a written description of the invention, and of the manner and process of making and using it, in such full, clear, concise, and exact terms as to enable any person skilled in the art to which it pertains, or with which it is most nearly connected, to make and use the same and shall set forth the best mode contemplated by the inventor of carrying out his invention.

Claims 45-51 are rejected under 35 U.S.C. 112, first paragraph, as failing to comply with the enablement requirement. The claim(s) contains subject matter which was not described in the specification in such a way as to enable one skilled in the art to which it pertains, or with which it is most nearly connected, to make and/or use the invention. Claims 45-51 are single means claims which do not meet the enabling requirement of these claims.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claims 1-5, 10, 11, 15-23, 30-33 are rejected under 35 U.S.C. 102(b) as being clearly anticipated by U. S. Patent No. 5,077,795 to Rourke et al

As per claim 1, Rourke et al. disclose an image-forming device and a first consumable resource configured to be consumed by the device in forming a printed image (see fig. 2), an authorization granting interface coupled to the resource and configured based upon authorized users of the resource (col. 6, lines 48-57), a user interface configured to receive authorization input from a prospective user (col. 7, lines 38-48 and a processor in communication with the user interface, wherein the processor is configured to determine if a prospective user is authorized to use the resource based upon the authorization input and interaction with the granting interface (col. 7, lines 16-23).

As per claim 2, Rourke et al. disclose wherein the user interface is configured to indicate to the prospective user whether the prospective user is authorized in response to control signals generated by the processor (col. 10, lines 46-50)..

As per claims 3 and 4, Rourke et al. disclose wherein the processor is configured to prevent use of the resource by the prospective user when the prospective user is not authorized and to permit use of the resource when the prospective user is authorized (col. 7, lines 16-23).

As per claims 5, 10, 11 and 23, Rourke et al. disclose a memory configured to receive and store authorization input (col. 10, lines 38-40).

As per claim 15, Rourke et al. disclose the authorization granting interface is configured to grant and deny use of the resource (col. 6, lines 48-57).

As per claim 16, 17 and 20, Rourke et al. disclose the authorization granting interface is configured to grant varying levels of authorization to use of the resource (col. 8, lines 7-16)..

As per claims 18 and 19, Rourke et al. disclose the processor is fixedly coupled to the device (see fig. 2).

As per claim 21, Rourke et al. disclose the user interface is configured to receive authorization input from a prospective user comprising a device (see fig. 2).

As per claim 22, Rourke et al. disclose a consumable resource and an authorization granting interface coupled to the consumable resource and configured based upon authorized users of the resource (see at least the abstract).

As per claim 30, Rourke et al. disclose the authorization granting interface is configured to grant and deny use of the resource (col. 10, lines 41-56).

As per claims 31 and 32, Rourke et al disclose the authorization granting interface is configured to grant varying levels of authorization to use of the resource (col 6, lines 58-65).

As per claim 33, Rourke et al. disclose a processor (see fig. 2).

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 6-9, 12, 13, 24-26 are rejected under 35 U.S.C. 103(a) as being unpatentable over Rourke et al. as applied to claim 1 above, and further in view of the examiner taking official notice.

As per claims 6-9, 12, 13, 24-26, Rourke et al. do not specifically disclose the features of these claims. The examiner, however, takes official notice that these elements are well known in the art of security systems. It would have been obvious to anyone having an ordinary level of skill in the art at the time the invention was made to have combined these well known features in applicants invention with the invention of Rourke et al. since they comprise very well known components and hardware associated with this type of system.

Allowable Subject Matter

Claims 34-44 are allowed.

Claims 14, 27-29 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Thomas R. Peeso whose telephone number is 571 272-3809. The examiner can normally be reached on Mon.-Fri, 7:00 a.m. to 3:30 p.m. The central fax number for the office is 571 273-8300.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Gilberto Barron, can be reached on 571 272-3799.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>.

Should you have questions on access to the
Private PAIR system, contact the Electronic Business Center (EBC) at
866-217-9197 (toll-free).

/Thomas R Peeso/
Primary Examiner
Art Unit 2132